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Attorney Docket No. 50665-8009.US01



I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Box Sequence, P. O. Box 2327, Arlington, VA 22202, on:

Date:

April 5, 2002

By Jynnea B. Anderson

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Rodriguez et al.

SERIAL NO.: 09/932,328

FILED: August 17, 2001

FOR: **PLANT SELECTABLE MARKER AND
PLANT TRANSFORMATION METHOD**

EXAMINER: Unknown

ART UNIT: 1638

Petition for 5-Month Extension of Time

Box Sequence
 Assistant Commissioner for Patents
 U.S. Patent and Trademark Office
 P. O. Box 2327
 Arlington, VA 22202

Sir:

Applicant petitions for a 5-Month Extension of Time in which to respond to the outstanding Notice to File Missing Parts dated September 7, 2001, extending the period for response to April 7, 2002.

- Fee (37 CFR 1.17(a)(5)): Small Entity: \$980.00
 Please charge the fee due to Deposit Account No. 50-0665.
- Applicant petitions for an additional Extension of Time if necessary for timely filing of this petition and enclosures.
- Please charge any underpayment for timely consideration of this paper to Deposit Account No. 50-0665.

04/10/2002 NM0HMM1 00000026 500665 09932328

01 FC:228 980.00 CH

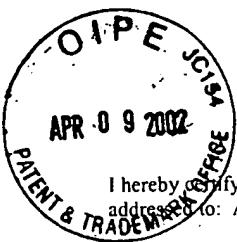
Respectfully submitted,

Jacqueline F. Mahoney
 Registration No. 48,390

Date: April 5, 2002Correspondence Address:

Customer No. 22918

Phone: (650) 838-4300



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IN RE APPLICATION OF:

Rodriguez and Huang

SERIAL NO.: 09/932,328

FILED: August 17, 2001

FOR: **PLANT SELECTABLE MARKER AND PLANT
TRANSFORMATION METHOD**

EXAMINER: Unknown

ART UNIT: 1638

CONFIRMATION NO. 4810

Declaration Under 37 CFR §1.821

Box Sequence
Assistant Commissioner for Patents
U.S. Patent and Trademark Office
P. O. Box 2327
Arlington, VA 22202

Sir:

I, Jacqueline F. Mahoney, declare and affirm as follows:

1. I am an agent for the applicant.
2. The floppy disc which accompanies this Declaration contains the required sequence listing.
3. The sequence listing recorded on said disc matches the hard copy of the sequence listing accompanying this Declaration.
4. The present submission contains no new matter relative to the application as originally filed.

Respectfully submitted,

Jacqueline F. Mahoney

Jacqueline F. Mahoney
Registration No. 48,390

Date: April 5, 2002

Correspondence Address:

Customer No. 22918

Telephone: 650 838-4300